

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)**

In re:	*	
Rona Cervantes Manangan,	*	Case No. 11-33374 DER
Debtor.	*	(Chapter 7)
* * * * *	*	
Lori Simpson, Chapter 7 Trustee	*	
Plaintiff,	*	
v.	*	Adv. No. 14-00718
Adriano Manangan, et al.	*	
Defendants.	*	
* * * * *	*	

TRUSTEE’S MOTION TO STRIKE DEFENDANTS’ ANSWER

Lori Simpson, the Chapter 7 Trustee appointed in the case of Rona Cervantes Manangan (the “Trustee”), hereby files this Motion to Strike Defendants’ Answer to Trustee’s Motion for Default Judgment (the “Motion to Strike”), and in support thereof, state as follows:

1. On September 22, 2014, the Trustee filed a Complaint (the “Complaint”) to Sell Real Property Free and Clear of Interest of Co-Owners against Adriano Manangan, Riza Manangan and Randolph Manangan, the defendants in the above-captioned adversary proceeding (hereinafter collectively referred to as the “Defendants”).
2. On September 24, 2014, the Trustee served the Summons, the Complaint and a copy of the Court’s Pre-Trial Order on the Defendants.
3. The Defendants failed to file answers to the Complaint.

4. On October 30, 2014, the Trustee filed motions for entry of default judgments against each of the Defendants (the “Motions for Default Judgment”)

5. On October 30, 2014, the Defendants filed their “Answer to For (sic) Default Judgment Against Defendants Adriano Manangan, et al” (the “Defendants’ Answer”).

6. The Defendants Answer should be stricken as non-responsive to the Complaint. The Defendants’ Answer says as follows:

“1. That Defendant Adriano Manangan is an elderly man aged eighty four and has not been active in this matter;

2. That his children and three co-Defendants were confused about this matter and had contacted another attorney other than the original attorney of record for Debtor Rona Manangan, and have just this day requested assistance in this matter from this counsel;

3. That the Defendants desire to meet for the scheduled pre-trial conference set for November 5, 2014 at 10:00 a.m. to discuss possible settlement of the issues involved.”
(Doc. #8).

7. The Trustee has engaged in settlement discussions with counsel for the Defendants. The Defendants have failed to comply with the terms of the settlement.

8. Under the circumstances, the Trustee requests that the Defendants’ Answer be stricken, that default judgments be entered against the Defendants and that the relief requested in the Complaint be granted.

WHEREFORE, the Trustee respectfully requests that this Court enter an Order:

- (i) Striking the Defendants’ Answer;
 - (ii) Granting judgments by default against the Defendants and in favor of the Trustee;
- and

(iii) Granting the relief requested in the Complaint.

Respectfully submitted,

/s/ Karen H. Moore

Karen H. Moore, Esquire

Federal Bar No: 10510

Law Office of Lori Simpson, LLC

1400 South Charles Street, 3rd Floor

Baltimore, Maryland 21230

Direct Dial: 410.779.5382

kmoore@lsimpsonlaw.com

Attorneys for Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of January, 2015, a copy of the foregoing Motion to Strike Defendants' Answer to Trustee's Motion for Default Judgment was electronically filed and served on the parties who are registered CM/ECF participants and was served by first class mail, postage prepaid to:

Adriano Manangan
1223 Chesaco Avenue
Baltimore, MD 21237

Randolph Manangan
1223 Chesaco Avenue
Baltimore, MD 21237

Riza Manangan
1223 Chesaco Avenue
Baltimore, MD 21237

/s/ Karen H. Moore

Karen H. Moore